G R S App F IX 4] **194** File No 111-41

Previous References ( ) Serial Nos 73 86 139

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos 4

Part B for Dep 43

SUBJECT

Bye-laws for Regulating the Construction of Buildings & other Structures in the Karachi Dist

16 pages

(81 139)

To Mr. S.C. Shirodkar Dist
" Dir of P H
L 9766-7 dt 31 3 43
Sanctions the

L S A 19/8

6160
L

Building bye-laws of Shikarpur Town Municipality

General and Revenue Secretariat | M/File No | of 1941 | [App F III—2

Serial No	
	Letter no M 3 C 2848/41-42 dated 14-4-42 from the Deputy Commissioner, Shimoga with reference to sanction to the draft bye-laws framed by the Shikarpur Town Municipal Council for regulating the construction of buildings and other structures
	These bye-laws are framed under Section 48 (1) of the Mysore Town Municipalities Act, 1933.
	The required formalities have been observed
	The Director of Public Health may be requested to furnish his views on the bye-laws since they are framed mainly in the interests of Sanitation
W 4339 13/5/42	Forwarded unofficially with compliments to the Director of Public Health for favour of opinion early return
No C884 13/5/42	B. O Ramachandra Secretariat 13/5/42 Law Dept

NOTE—Contn Sheet

WD 04155—GPB—55 000—23 10 41

File No 6161/1 of 194

General and Revenue Secretariat

Serial No

Retransmitted with compliments

The draft Bye-laws regulating construction of buildings in Shikaripur Town are in order and may be passed

It would, however, be better if the Municipal Council could be persuaded to adopt in toto all the provisions incorporated in a set of model building bye-laws, a copy of which is enclosed in the file

Bangalore,
Dated, 26th May 1942 DIRECTOR OF PUBLIC HEALTH

W.O. No 884 28-5-42 one + one file

SECY L W DEPT 28 MAY 1942 GOVT OF MYSORE

Submitted for orders if a copy each of model building bye-laws sent by the Director of P.H. be forwarded to the Dy Commr, Shimoga for consideration by the Shikarpur Municipal Council

yes - Draft attached

4-6-42

Draft - put up

5/6/42

To Dy Comr, Shimoga for

No L 115-43 dt 11-6-42

issues certain instructions

Secy

14/6

3515-L

Building bye-laws of the Shikarpur Town Municipality (3)

4226/42 P

General and Revenue Secretariat

ML File No 111 3515 of 1941 [App F III-2

Serial No	
	Letter no H-3 C. 2848/41-42 dated 4-12-42 from the Deputy Commissioner Shimoga forwarding the revised bye-laws framed by the Shikarpur Town Municipal Council for regulating the construction of buildings and other structures at the place
Flag A	11) The revised bye-laws are on the lines of those the model building bye-laws forwarded in this office letter*
Flag K	dated 11-6-42, for adoption by the Shikarpur Town Municipal Council
	12) The prescribed formalities have also been observed
	Submitted with a draft G.O. Sanctioning
Rev 15-12-42 GS 15/12	13) The bye laws may perhaps be scrutinized by the Law section also, to see if they are in order
	Law Secy) Rev 15/12/42
	14) Secy 14-12-42
	15) Addl Secy Law etc) Rev 16/12/42
Law 123/42 17/12/42	3 Govt
Secy	16) Govt Secy Govt etc) 3 4/1/43

SECY LAW DEPT 7419 GOVT OF MYSORE

NOTE—Cont Sheet

17) Information may kindly be furnished as to whether any Model Building bye laws have been framed and issued to the Municipalities If not the file approving the first of the building bye-laws under the Act of 1933, and a copy of the bye-laws under the

WL 0415 - GI B—55 000—23 10 41

Building bye-laws of Shirkaripur Town Supply-

4) 4 | 10

MLFile No 111 3615/L of 1941 | General and Revenue Secretariat

old Act may kindly be made available | Serial No | Markers

Asst Secy L S G with Compts } 18) Fm 9/2/43

19) Govt- have not- issued any model bye-laws for regulating the construction of buildings in the Town Municipalities when ever the bye-laws on the subject are framed by the Mnl Cls and submitted to Govt-, the DP H is generally consulted and he furnishes his suggestions as has been done in this case- - - -

Serial No

is authorised as to frames bye-laws ~~which~~ ~~may~~ ~~be~~ ~~made~~ under the Municipal Act may be framed by the Administrative Secretariat with technical advice where necessary and got scrutinised by the Legislative Section as to whether they are ultra vires or intra vires. The model bye-laws may then be sent to the Municipal Councils for adoption as and when they need for doing so arises, the procedure in regard to previous sanction of Govt remaining the same as at present. Any variations from the model by any Municipal Council may be required to be explained. This is the practice in England, and it has the great merit of securing uniformity of bye-laws in all Municipalities and avoids much labour and time. Under this procedure the legal scrutiny of each set of bye-laws of every one of the Municipalities individually becomes unnecessary. If as Municipal Council has adopted the Model bye-laws en toto without any modification, the Administrative Secretariat may grant sanction for its adoption, since no legal scrutiny so necessary. ~~Such~~ ~~as~~ ~~if~~ ~~the~~ Municipal Council has however modified any bye-law, it will have to give reasons for such modification, and when this is referred to the Law Section it will be in a position to concentrate its attention on the definite point at issue, viz, whether the modification proposed is ultra-vires or not.

NOTE—Cont Sheet

WD C41 —GPB—55 000—23 10 41

23) The practice which as now being

57

3575/L

MC File No 41 of 1941

General and Revenue Secretariat

Serial No

followed by us as appears to me to be very defective. A Municipality will have simply copied the bye-laws of another Municipality even without carrying out the necessary changes of nomenclature. It is nothing more than the typist's job of copying with all typographical errors. The bye-laws are not being properly numbered, the marginal headings will be misplaced, the difference between a sub-paragraph and the main paragraph would have been obliterated, and the copy may not have been compared at all with the original. This is passed on by the Administrative Sectn to the Law Section for scrutiny, and the latter's job consists in the mechanical work of comparing the copy with the originals, which could have been done by the Municipality itself or the Administrative Sectn.

2(4) This procedure requires improvement on the lines suggested above by me

MWW 9/3

Law Secy)

2(5) CWS 9-3-43 MWW 9/3

Asst Secy
L S Gundevia

Head of the

2(6) Under the Mysore Town Municipalities Act, 1933, the Town Municipalities have the privilege of framing their own bye-laws on certain

SECY LAW DEPT 10763 9 3 43 CONTROL NO

Bunglows bye-laws of Shahkarpur Town Municipality

Continuation Sheet | MH File No 111 / Current No | of 41 | 35157/47 Page

Subjects according to which they frame them and Submit for the approval of Govt. In fact, most of the municipalities are already having their bye-laws, which are approved by Govt. In view of this it is for consideration if it is necessary to frame model bye-laws for being adopted by the Several Town Municipal Councils. If this is done the several municipal councils will have to observe again the required formalities of calling for objections against the bye-laws and disposal them of etc and same of the councils may not entirely agree with the model bye-laws.

2) The draft G.O. Sanctioning the bye-laws regulating the construction of bunglows and other structures in the Shahkarpur Town Municipality is put up for approval or other orders

Kur 13.3.43

2) The draft G.O. may be approved

Yes / Ans 22.3.43

2) Action will be separately taken on the points raised in paras 2 to 4 supra

11.22 22.3.43

Lawsey 19/3/43

30 Mayilvaganam

Minister 22-3-43

Lawsey 22/3/43

JLC

Secy 29/3 Ans 29-3-43 28 3 43

OFFICE OF THE MINISTER FOR L S G & P H
Date 24 3 43
No 7884

TYPING SECTION
30 MAR 1943
GEN & REV SECTT

Building bye-laws of the Shikaripur Town Municipality

Continuation Sheet. ML File No 111 / Current No of 41 3515/L Page

To

The Deputy-Commr, Shimoga Dist
The Director of Public Health
NO 2 9766-7 dated 31-3-43

Sanctions the bye-laws framed by the Shikaripur Town Municipal Council

Resubmitted with reference to para 29 Supra and reference is invited to para 26 Supra with regard to the observations of the Asst-Secy Law in paras 22-to-24 Supra

Home S 443 The proposal is no doubt a good one. But it means that a non-official who is a B A BL or B A L L B should be deputed to attend to the work solely for a period of at least three months. If another hand possessing these qualifications could be posted to the Dist Head Quarters, the work will be taken up

Sir
Secy Law 6/4/43

1 no 2 6/4/43 - It is not possible to work up now

6-4-43

May this be recorded now?

Yes
Kw 7/4/43 Sd Keep the copy of the bye-laws (with you) for 7/4/43

WD 1140—GPB—50 000—5-11-42

Copy of the bye-laws to be kept for 7/4/43

6160/L

GER. & Rev. 15 APR 1942 L S G L

GOVERNMENT OF MYSORE

Telegraphic Address

OFFICE OF
the Deputy Commissioner,
Shimoga District,
Shimoga,

No M S C 2848/41-42
Encls
Records

Date 14th April 1942

H/L 111-41-73.

To

The Secretary to Government of His
Highness the Maharaja of Mysore,
Law Department, Bangalore

SECRETARIAT 14 APR 42 GOVT OF MYSORE

Sir

Subject - Draft Bye-laws for regulating the construction of buildings and other structures - in Shikaripur Town Municipality

I have the honour to state that the draft bye-laws framed by the Town Municipal Council, Shikaripur under section 48 (1) of the Town Municipal Act for regulating the construction of buildings and other structures in the limits of the said Municipality were published locally, calling for objections or suggestions from the Public as required in section 48 (2) of the Town Municipal Act

2 As no objections or suggestions were received in response to the notification issued on 10th January 1942 within the prescribed time limit, the Municipal Council at their meeting held on 27-2-42, resolved that the proposed bye-laws might be submitted for obtaining sanction of Government A copy of the resolution of the council is enclosed

3 The President of the Municipal Council has requested that sanction of Government might be obtained to the proposed bye-laws

4 In these circumstances, I request that sanction of Government may kindly be obtained to the aforesaid bye-laws framed by the Municipal Council, Shikaripur

5 The entire records received from the President of the Shikaripur Town Municipality (Vide report No M C 150/41-42 dated 6th March 1942) are forwarded herewith for favour of reference and

return

return with same with.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Shimoga District

Appendix F G—1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *19*

Date of issue 11/6/42

Signed by for G.R.Rao

Section TU

File No 111—41

Serial No 86

No L. 11543 (with seconds)

To The Secy Corpn, Shimoga

Sir

With reference to your letter No M 3 C 2828/41-42, dt 14.4.42 forwarding for approval draft bye laws for regulating the construction of buildings & other structures in the Shikarpur Town Municipality, I am directed to forward herewith a set of model bye laws and to request that the Municipal Council be advised to adopt into

Proposed by us for G.P.S.R.

List of enclosures

Copied by

Examined by

WD 086—GPB—40 000—30 7 40

The said map

~~all the proof . . . from~~

~~the case~~

The entire records are returned herewith for reference & retransmission

Thanks

Yours

Assistant Counsel

Law Dept

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 11543 / Dy C 111-M186

Dated Bangalore, 11 June 1942

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore

Law Department

To

The Deputy Commissioner,

Shimoga District, Shimoga

Sir,

With reference to your letter No M.J.C. 2848/41-42 dated 14th April 1942 forwarding for approval draft bye-laws for regulating the construction of buildings and other structures in the Shikaripur Town Municipality, I am directed to forward herewith a set of model building bye-laws proposed by the Director of Public Health and to request that the Municipal Council may be advised to adopt in toto the said bye-laws and submit them to Government after observing the prescribed formalities

The entire records are returned herewith for reference and re-transmission.

I have the honour to be,

Sir,

Your most obedient servant,

Secretary to Government,
Law Department.

Aga/2

Town Municipal Council for regulating the construction of buildings and other structures in Shikarpur Town

The connected records bearing on the subject together with the draft model bye-laws received with your letter under reply are forwarded herewith for favour of reference

I have the honour to be,
Sir,
Your most obedient servant,

for Deputy Commissioner,
Shimoga District

G R S App F VI—G 2]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *193*

Section Tnl

File No 111—41

Serial No 139

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 31/3 193

Signed by W B G P Rao

Read— Correspondence and—ing with letter no 173 c 2848/41-42 dated 4-12-42 from the D C Shimoga bri- requesting Sanction to the bye-laws framed by the Shikaripura Town Municipal Council under Section 68(2) (b) (iv) of the Mysore Town Municipalities Act, 1933, for regulating the Construction of buildings and other Structures at the place

Order no L 9766-7

The bye-laws are Sanctioned and appended to this order

Cy 3 22

For Secy to Govt— Law Dept

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette English Part?

(iv) translated?

(v) placed at the disposal of the press?

(vi) published in the Gazette Kannada Part?

%

The D C Shimoga bri (W P)

The Dy A

List of Enclosure

Copied by

Examined by

WD 0 602—CPB 22 500—12 7 85

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Read.-

Correspondence ending with letter M.M.3.C. 2848/41-42 dated 4th December 1942 from the Deputy Commissioner, Shimoga District, requesting sanction to the bye-laws framed by the Shikaripur Town Municipal Council, under Section 48(r)(s)&(w) of the Mysore Town Municipalities Act, 1933, for regulating the construction of buildings and other structures at the place.

- - -

ORDER No.L. 9766-7/and III-41-135

Dated, Bangalore, 3rd March 1943.

The bye-laws are sanctioned and appended to this order.

for Secretary to Government,
Law Department.

To

The Deputy Commissioner, Shimoga Dt.with records.
" Director of Public Health in Mysore.

BHK/3.

Copied by

Examined by

WD 0-602—CPB 22 500—12-7 75

VI G 7]

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

GENERAL AND REVENUE SECRETARIAT

No L 3884, dated the 8/10/ 1942

To

The Deputy Commissioner
Shimoga District
Shimoga

SUBJECT

Bye laws for regulating Iyeran hotels or eating houses in the Shikarpur Town Municipality

SIR

I am directed to invite attention to the marginally noted *No L 11052 dated 20/7/42 communication and to request that the Government of His Highness the Maharaja may be informed, in the column opposite ~~of the cause of delay in furnishing a reply and~~ of the approximate date on which reply may be expected

I am also to request that the reply to this reminder may be sent ~~not later than the~~

I have, etc,

for Secretary to Government,
Law Department

*Previous reminders L 26119/4/42

REPLY

No H&C 2107/41-42 dated the 15th October 1942

SECY LAW DEPT 2 OCT 42 GOVT OF MYSORE

SECY TO GOVT OF MYSORE 2 OCT 1942

To

The Secretary to the
Government of H H the
Maharaja of Mysore,
Law Department
Bangalore.

Sir,

With reference to the marginally noted Communication I have the honour to state that the President, Town Municipal Council Shikarpur, from whom a report was called for in the matter, has stated that the draft revised Model bye laws framed by the Municipal Council has been published as required by rules and that the final report will be submitted by the end of the current month.

On receipt of final report from the President, a further communication will be made in the first week of next month

I have the honour to be,
Sir,
Your most obedient Servant

for Deputy Commissioner
Shimoga District

WD 088—GPB—5 000—31 7 40

Shikarpur 1962

GOVERNMENT OF MYSORE

S G BF

Telegraphic Address

No L S.C 2848/41-42
Encls

OFFICE OF
the Deputy Commissioner,
Shimoga District,
Shimoga,

Date 22nd September 1942

To

The Secretary to the Government
of His Highness the Maharaja of Mysore,
Law Department, Bangalore. ----

SECY LAW DEPT MYSORE

Sir

Subject - Draft Bye-laws - for Regulating the construction of buildings and other structures in Shikarpur Town Municipality

---

With reference to your reminder letter No L 2612 dated 4th September 1942, on the above subject, I have the honour to state that the revised draft bye-laws called for by the President, Town Municipal Council, Shikarpur, in pursuance of your letter No L 11543/L1 111-41-86 dated 11th June 1942, has not yet been received

He has been reminded to expedite the submission of the revised proposals On receipt of his reply in the matter, a further communication will be made

I have the honour to be,
Sir,
Your most obedient servant,

For Deputy Commissioner,
Shimoga District

s 2/

Subject for perusal The further communication promised here will be awaited

1/10/42

Yes

1/10/42

1/10